

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.

Tyrese Martez Jones

Case: 2:23-mj-30178

Assigned To : Unassigned

Assign. Date : 4/28/2023

CMP: USA v JONES (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 3, 2022 and April 28, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in Possession of Ammunition on December 3, 2022
18 U.S.C. § 922(g)(1)	Felon in Possession of a Firearm on April 28, 2023

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: April 28, 2023

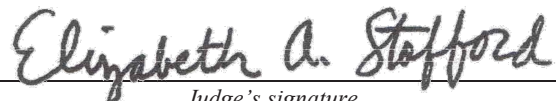
City and state: Detroit, MI



Complainant's signature

Christopher J. Smilo, Special Agent, ATF

Printed name and title



Judge's signature

Hon. Elizabeth A. Stafford, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Christopher J. Smilo, being duly sworn, hereby state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been for approximately seventeen (17) months. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I received a bachelor's degree in Criminal Justice from Wayne State University and was employed by the United States Border Patrol for twelve (12) years. The last ten (10) years of which were on a full time Special Operations team. I have made many arrests and served numerous search warrants and arrest warrants resulting in the seizure of large amounts of illegal narcotics, firearms, and the arrest of transnational illegal aliens and human traffickers.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, police officers, informants, and witnesses. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all facts known to law enforcement related to this investigation.

3. This affidavit is made in support of a criminal complaint charging Tyrese Martez JONES (DOB:XX/XX/1991) ("JONES"), a convicted felon, with

possession of ammunition from December 3, 2022, and felon in possession of a firearm on April 28, 2023, both in violation of Title 18 U.S.C § 922(g)(1).

SUMMARY OF THE INVESTIGATION

4. In April 2023, VICTIM 1¹ contacted ATF and indicated that JONES was in possession of multiple firearms. Additionally, VICTIM 1 stated that in 2022 JONES began sending her threatening messages on social media and leaving threatening voicemails. Since July of 2022, JONES has had increasing violent behavior towards VICTIM 1, which VICTIM 1 reported to law enforcement, including shooting at VICTIM 1 on multiple occasions. JONES is a multi-convicted felon and is prohibited from possessing firearms and ammunition.

A. DECEMBER 3, 2022, SHOOTING INCIDENT

5. On December 2, 2022, at approximately 2234 hours, VICTIM 1 stated that she received a voicemail message from JONES threatening her life and indicated that he was at a bar where VICTIM 1 had just been earlier in the evening, and that she had not noticed him there. When ATF spoke to VICTIM 1, she provided a

¹ VICTIM 1 is the former significant other of JONES. VICTIM 1 is cooperating with law enforcement due to fear for her safety from JONES. VICTIM 1 has provided ATF agents with her personal identifying information. VICTIM 1 is not receiving any compensation from law enforcement in exchange for cooperation. Further, ATF agents have independently verified the information received from VICTIM 1 through police reports, surveillance, and/or conversations with other law enforcement officers.

recording from a separate voicemail that took place that same evening. Agents reviewed the voicemail that VICTIM 1 provided. In part, JONES stated “Imma fuck you up...for playing wit my emotions...I don’t give a fuck about you having these voicemails. It’s on, it’s on, I’m coming bitch.”

6. VICTIM 1 further informed law enforcement that on December 3, 2022, at approximately 0028 hours, home security cameras at VICTIM 1's residence captured a man, who VICTIM 1 believed to be JONES, sneaking up towards the residence from the rear ally. The man then fired multiple shots into the rear of VICTIM 1’s residence. VICTIM 1’s bedroom is in the rear of the residence and the rounds narrowly missed VICTIM 1 as she was sitting on the bed at the time of the shooting. After the shooting, VICTIM 1 contacted police, who responded to the location. While at the location, officers collected a shell casing, which, along with the video, corroborated VICTIM 1’s statement regarding the occurrence of a shooting. VICTIM 1 provided the home security system video footage of the shooting to ATF. Agents reviewed this footage and observed the outline of what appeared to be a male walking towards the residence. The video then depicted multiple muzzle flashes as the firearm was being discharged towards the residence.

7. Detroit Police Department responded to VICTIM 1’s residence the night of the shooting and noticed there was damage to VICTIM 1’s rear window at the southwest corner of the dwelling. Law enforcement also noted a north window

had a wooden board over the window and a projectile impact on the door inside the residence. Law enforcement also noticed projectile impacts near the rear west wall of the dwelling near the southwest corner inside of the residence (bedroom of VICTIM 1). Law enforcement conducted a canvas for expended shell casings from the shots that were fired into VICTIM 1's residence. Officers recovered one round of expended Sig .40 caliber Smith and Wesson ammunition, but could not locate the other casings.

8. Based on my training, experience, conversations with other law enforcement officers, and information received from VICTIM 1, there is probable cause to conclude that the person shooting at VICTIM 1's residence was JONES. First, as outlined above, VICTIM 1 stated that JONES made threats to harm VICTIM 1 just one day prior to the shooting at the residence. Second, VICTIM 1 has provided no information to ATF that she has had any disputes with other individuals that would rise to the level of someone shooting at her occupied residence. Third, JONES had a relationship with VICTIM 1 and had been to this residence before; therefore, JONES would have knowledge of the layout of VICTIM 1-s residence, which would allow JONES to be able to target VICTIM 1 at the room she was most likely to be present. Fourth, it appears that VICTIM 1 was specifically targeted by the individual that went into the ally. No other residences were shot that night other than VICTIM 1's, which leads agents to believe that it is likely the individual who shot into

VICTIM 1's bedroom was specifically targeting VICTIM. And fifth, shooting at VICTIM 1 would be consistent with JONES' escalating behavior against VICTIM 1 commonly observed in domestic violence cases, for example,

- a) on July 28, 2022, JONES called VICTIM 1 to threaten her and told her "Better put that 300 up". That same day, JONES was captured on the home security system of VICTIM 1 destroying the windows of two of VICTIM 1's vehicles, one of which was a Chrysler 300



- b) on August 25, 2022, JONES chased VICTIM 1's vehicle on foot after she drove by him. Later that same day JONES was captured on the home security system of VICTIM 1 standing in front of VICTIM 1's residence with a machete in his hand yelling threats towards her.



B. APRIL 24, 2023, SHOOTING INCIDENT

9. On April 24, 2023, ATF received a phone call from VICTIM 1 who stated that JONES fired shots at her on April 23, 2023. VICTIM 1 stated that JONES had stolen VICTIM 1's vehicle and VICTIM 1 located the vehicle parked outside of XXX10 Yellowstone Street, Detroit, MI. VICTIM 1 stated that she had a spare set of keys and was planning on driving off with her vehicle, but, upon arrival, learned that the vehicle could not be driven due to damage and a flat tire. VICTIM 1 stated that when she was outside of the residence near the vehicle, JONES opened the door to the residence and exited with two unidentified black males. VICTIM 1 stated that JONES and the other two individuals all pointed firearms in the direction of VICTIM 1, but only JONES shot at VICTIM 1. VICTIM 1 stated that she believed that JONES fired approximately three shots. VICTIM 1 stated that she contacted the Detroit Police Department regarding the shooting. ATF obtained a copy of the Detroit Police Department 911 call from VICTIM 1 following this shooting incident. During the

call, VICTIM 1 told the 911 operator that JONES and the two other individuals that were on the front porch returned inside the residence following firing shots at VICTIM 1.

10. A review of the Detroit Police Department event report indicated that Detroit Police Department responded to XXX10 Yellowstone Street within five minutes of the 911 call and attempted to contact the occupants of the residence. When police knocked on the door, a male occupant was heard by police officers inquiring who was at the door, but when the police identified themselves, nothing further was said. The door to the residence was not opened and officers left the location without searching for and/or collecting the possible expended shell casings.

11. Following the shooting, VICTIM 1 received a call from JONES who threatened VICTIM 1 for sending the police to “his house”. VICTIM 1 provided this telephone number to ATF and a query of law enforcement databases showed this telephone number was associated with “Jones Tyrese”.

12. On April 25, 2023, agents conducted a review of the Instagram account associated with JONES. Agents found a post made by JONES with a photograph of what appears to be a Glock firearm with a drum magazine (see image 1). This photograph was posted at approximately 0400 hours, which is just over one day after the shooting reported by VICTIM 1.



Image 1

**C. APRIL 27, 2023, SEARCH WARRANT EXECUTION AT XXX10
YELLOWSTONE STREET, DETROIT, MI**

13. On April 27, 2023, ATF obtained a federal search warrant for XXX10 Yellowstone Street, Detroit, MI. On April 28, 2023, ATF executed the search warrant at the aforementioned residence. While searching the residence agents located and seized a Colt MKIV Mustang .380 caliber firearm bearing serial number MU22687. Agents located the firearm in a bedroom that three other occupants of the residence identified as JONES'. Additionally, also in the bedroom where the firearm was located was a wallet containing the identification of JONES.

14. During a post Miranda interview, JONES indicated he had the firearm in the residence and he got it from his grandfather. JONES stated he was a felon and knew he could not have firearms. Prior to being mirandized, JONES spontaneously told law enforcement he has 23 felony convictions.

D. INTERSTATE NEXUS

15. On April 27, 2023, ATF Special Agent Nathan Triezenberg, who is an Interstate Nexus Expert, was contacted regarding the Sig .40 caliber Smith and Wesson ammunition recovered from outside the residence of VICTIM 1 on December 3, 2022. SA Triezenberg indicated that the Sig .40 caliber Smith and Wesson ammunition is not manufactured in Michigan and therefore it has affected interstate commerce.

16. On April 28, 2023, ATF Special Agent Nathan Triezenberg, who is an Interstate Nexus Expert, was contacted regarding the Colt MKIV Mustang .380 caliber firearm recovered from JONES' bedroom. SA Triezenberg indicated that the Colt MKIV Mustang .380 caliber firearm is not manufactured in Michigan and therefore it has affected interstate commerce.

E. FELONY CONVICTIONS

17. A review of the criminal history for JONES showed that JONES has the following felony convictions:

- June 7, 2012, 3rd Circuit Court - Stolen Property-Receiving and Concealing-Motor Vehicle
- June 7, 2012, 3rd Circuit Court - Stolen Property-Receiving and Concealing-Motor Vehicle
- April 23, 2013, 16th Circuit Court - Stolen Property-Receiving and Concealing- Motor Vehicle

- April 23, 2013, 16th Circuit Court -Felony Controlled Substance (Cocaine, heroin or another narcotic) less than 25 grams
- April 23, 2013, 16th Circuit Court - Attempt- Felony Larceny- From a motor vehicle
- April 23, 2013, 16th Circuit Court - Felony Motor Vehicle- unlawful driving away
- April 23, 2013, 16th Circuit Court - Attempt- Felony Larceny- From a motor vehicle
- April 23, 2013, 16th Circuit Court - Attempt- Felony Larceny- From a motor vehicle
- April 23, 2013, 16th Circuit Court - Attempt- Felony Larceny- From a motor vehicle
- April 23, 2013, 16th Circuit Court - Attempt- Felony Larceny- From a motor vehicle
- April 23, 2013, 16th Circuit Court - Felony Motor Vehicle- unlawful driving away
- April 23, 2013, 16th Circuit Court - Felony Motor Vehicle- unlawful driving away
- April 23, 2013, 3rd Circuit Court - Felony Stolen Property-Receive/Conceal-\$1000 or more but less than \$20,000
- January 23, 2018, Tennessee - Burglary-other than habitation
- January 23, 2018, Tennessee - Theft of Property- \$60,000- \$250,000.

18. Given the number of felony convictions along with the fact that JONES is currently on felony probation for felony arson, there is probable cause to conclude that JONES knows that he has felony convictions.

F. CONCLUSION

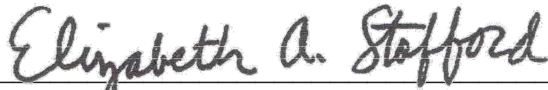
19. Based on the above information, probable cause exists that JONES, a convicted felon, possessed ammunition on December 3, 2022, and possessed a firearm on April 28, 2023, both in violation of Title 18 U.S.C § 922(g)(1). I therefore respectfully request that this Court issue a complaint against JONES for violation of Title 18 U.S.C § 922(g)(1).

Respectfully Submitted,



Christopher J. Smilo, Special Agent
ATF

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Hon. Elizabeth A. Stafford
United States Magistrate Judge

Date: April 28, 2023